

Melick, et al.

Attorney Docket No. P04409US01

**REMARKS****Overview**

Claims 1-57 are pending in this application. Claims 21-57 are new. Claims 1, 2, and 4 have been amended.

**Response to Election/Restriction Requirement**

The Examiner has divided the claims of the application into seven separate species as follows:

Species I: Claims 1-4 and 19.

Species II: Claims 5-8.

Species III: Claim 9.

Species IV: Claim 10.

Species V: Claims 11-14.

Species VI: Claims 15-18.

Species VII: Claim 20.

The Applicants provisionally elect Species I. The Applicants also note that claim 1 has been amended to be generic with respect to certain other claims. In addition, the Applicants respectfully traverse the Restriction Requirement between Species I and Species II (Claims 5-8) and Species III (Claim 9). It is respectfully submitted that only one search would be needed for the examination of Species, I, II and III. No traversal is made with respect to Species IV, Species V, Species, VI, or Species VII.

The Species elected is directed towards a method of transmission of a light pulse over fiber optic cable where one of the characteristics used in this representing data is the duration of

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the pulse. Therefore, it is also respectfully submitted that claims 21, 22, 24, 25 are readable on the elected Species I.

### Generic Claims

It is also respectfully submitted that some of the now pending claims are generic. In particular, claim 1 is generic towards species that provide for a particular type of pulse characteristic (i.e., pulse duration or time between pulses), generic as to the type of transmission medium (i.e., fiber optic, guided media, radio) and generic as to whether the pulses are electronic or photonic. Therefore, it is respectfully submitted that should claim 1 be allowed, claims 5-8, 9, 10, 11-14, 21-27, 32-37, 38-46, 47-50, 51-56 and 57 should all be examined. It is noted that these claims would also be generic with respect to new claim 21.

In summary, the Applicants have provisionally elected Species I which the Examiner recognizes to include claims 1-4 and 19. It is understood that this Species includes a method of transmitting photonic or light pulses where the pulse characteristic is a pulse duration and where the medium is a fiber optic cable. On this basis, Applicants have traversed the election requirement with respect to Species II and Species III.

Also, Applicants have amended claim 1 to make it generic. Applicants have also added a number of new claims, at least claim 21 of which is generic. Therefore, Applicants submit the claims that should be examined at this time include claims 1-9 and 19, 21, 22, 24 and 25 with additional claims being examined if generic claim 1 or 21 is allowed.

### New Claims

New claims 21-57 have been added. These claims do not represent new matter. The original application provides support for a variable pulse characteristic such as duration or

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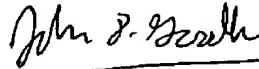
duration space, that the pulses can be electronic or photonic and that the medium can be of various types. Support is found throughout the application, including the original claims.

**Conclusion**

Please charge Deposit Account No. 26-0084 the amount of \$634.00 for 7 additional independent claims over 3 and 37 additional dependent claims over 20. No other fees or extensions of time are believed to be due in connection with this amendment; however, consider this a request for any extension inadvertently omitted, and charge any additional fees to Deposit Account No. 26-0084.

Reconsideration and allowance is respectfully requested.

Respectfully submitted,



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